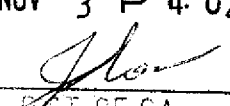


**In the United States District Court  
for the Southern District of Georgia  
Waycross Division**

FILED  
U.S. DIST. COURT  
BRUNSWICK DIV.  
2005 NOV -3 P 4: 02  
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S.D. DIST. OF GA.

UNITED STATES OF AMERICA : CRIMINAL ACTION  
v. :  
TYRONE DAVIS : NO. CR592-029-12  
(NO. CV599-070)

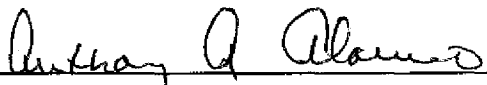
O R D E R

In 1993, a jury convicted Davis of conspiracy to distribute crack cocaine. Davis is currently serving a thirty year prison sentence for this offense at the federal penitentiary in Marion, Illinois. Presently before the Court is Davis' motion for a reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2) and United States v. Booker, 125 S.Ct. 738 (2005).

Contrary to Davis' arguments, Booker is not a "clarifying amendment" under the United States Sentencing Guidelines, and it does not apply retroactively on collateral review. See U.S. Sentencing Guidelines Manual § 1B1.11(b)(2); In re Anderson, 396 F.3d 1336, 1340 (11th Cir. 2005). As a result, Davis'

motion for a reduction in his sentence must be **DENIED**. See  
Doc. No. 864.

SO ORDERED, this 3 day of November, 2005.

  
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JUDGE, UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA